

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CONTEMPT PETITION NO.314 OF 2005

Kumari Sangita Narayan Bedekar &Anr..Petitioners.

Vs.

State of Maharashtra & Ors. ...Respondents.

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Mr.V.S.Deokar for the Petitioner.

Mr. C.G.Gavnekar for Respondent No.3.

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CORAM : DR.D.Y.CHANDRACHUD, J.

December 7, 2005.

P.C. :

In pursuance of the order of a Division Bench dated 11th January 2005, two communications, the first dated 14th November 2005 issued by the Education Officer (Primary), Raigad Zilla Parishad and the second dated 6th December 2005 of the Under Secretary in the School Education and Sports Department have been placed on the record. The State Government in its communication dated 6th December 2005 has noted that a deficiency does exist, in that there is no provision in the Bombay

Primary Education Act, 1949 for correcting the Primary School Education record relating to the date of birth, caste, name etc. A provision on the other hand is stated to exist in so far as Secondary Schools are concerned. The letter dated 6th December 2005 states that steps are being taken for introducing necessary provisions in the Rules framed under the Bombay Primary School Education Act. In this view of the matter, it would not be appropriate for this Court to exercise the contempt jurisdiction. It would be of course open to the Petitioners to take recourse to a remedy in law by filing a writ petition under Article 226. The Contempt Petition is dismissed.

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